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CLERK, U.S. DISTRICT COURT

5/11/2022

CENTRAL DISTRICT OF CALIFORNIA

BY: _____ DTA _____ DEPUTY

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

April 2022 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

VICTOR MANUEL CHAVARRIA,
aka "Ernie,"

Defendant.

No. 8:22-cr-00066-PA

I N D I C T M E N T

[21 U.S.C. §§ 841(a)(1),
(b)(1)(C): Distribution of
Fentanyl; 18 U.S.C.
§ 922(a)(1)(A): Engaging in the
Business of Dealing in Firearms
Without a License; 18 U.S.C.
§ 2(a): Aiding and Abetting; 18
U.S.C. § 924, 21 U.S.C. § 853, 26
U.S.C. § 5872, and 28 U.S.C.
§ 2461(c): Criminal Forfeiture]

The Grand Jury charges:

COUNT ONE

[21 U.S.C. §§ 841(a)(1), (b)(1)(C); 18 U.S.C. § 2(a)]

On or about March 30, 2022, in Orange County, within the Central District of California, defendant VICTOR MANUEL CHAVARRIA, also known as "Ernie," and others known and unknown to the Grand Jury, each aiding and abetting the other, knowingly and intentionally distributed N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide ("fentanyl"), a Schedule II narcotic drug controlled substance.

COUNT TWO

[18 U.S.C. §§ 922(a)(1)(A), 2(a)]

Beginning on or about March 30, 2022, and continuing through on or about April 29, 2022, in Orange County, within the Central District of California, defendant VICTOR MANUEL CHAVARRIA, also known as "Ernie," and others known and unknown to the Grand Jury, each aiding and abetting the other, not being a licensed importer, manufacturer, or dealer of firearms, willfully engaged in the business of dealing in firearms, specifically, the sales of the following firearms, on or about the following dates:

DATE	FIREARM(S)
March 30, 2022	A Smith and Wesson, model M&P 15-22, .22 caliber rifle, bearing serial number JAK0804
April 1, 2022	1. A Taurus, model 85 Protector Poly, .38 caliber revolver, bearing serial number JZ26984; and 2. A Harrington and Richardson Arms, model Topper 88, 12-gauge shotgun, bearing serial number AX530059
April 13, 2022	1. An Armory USA, model AUSA, 7.62x39mm caliber pistol, bearing serial number A2513; and 2. A Century Arms International, model VKSA, 7.62x39mm caliber rifle, bearing serial number SV7053540
April 29, 2022	1. A Sig Sauer, model P365, 9mm caliber handgun, bearing serial number 66A352052; 2. A Springfield, model XDS-9, 9mm caliber handgun, bearing serial number S3759431; and

	3. A Mossberg, model 500, 12-gauge shotgun, bearing serial number T508143
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FORFEITURE ALLEGATION ONE

[21 U.S.C. § 853; 18 U.S.C. § 924; 28 U.S.C. § 2461(c)]

1. Pursuant to Rule 32.2(a) of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 21, United States Code, Section 853, Title 18, United States Code, Section 924, and Title 28, United States Code, Section 2461(c), in the event of defendant's conviction of the offense set forth in Count One of this Indictment.

2. Defendant, if so convicted, shall forfeit to the United States of America the following:

(a) All right, title, and interest in any and all property, real or personal, constituting or derived from any proceeds which the defendant obtained, directly or indirectly, from such offense;

(b) All right, title, and interest in any and all property, real or personal, used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense;

(c) All right, title, and interest in any firearm or ammunition involved in or used in such offense; and

(d) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraphs (a), (b), and (c).

3. Pursuant to Title 21, United States Code, Section 853(p), defendant, if so convicted, shall forfeit substitute property if, by any act or omission of said defendant, the property described in the preceding paragraph, or any portion thereof: (a) cannot be located

1 upon the exercise of due diligence; (b) has been transferred, sold
2 to, or deposited with a third party; (c) has been placed beyond the
3 jurisdiction of the court; (d) has been substantially diminished in
4 value; or (e) has been commingled with other property that cannot be
5 divided without difficulty.

FORFEITURE ALLEGATION TWO

[18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c)]

1. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), in the event of defendant's conviction of the offense set forth in Count Two of this Indictment.

2. Defendant, if so convicted, shall forfeit to the United States of America the following:

(a) All right, title, and interest in any firearm or ammunition involved in or used in such offense; and

(b) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraph (a).

3. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), the convicted defendant shall forfeit substitute property, up to the value of the property described in the preceding paragraph if, as the result of any act or omission of said defendant, the property described in the preceding paragraph or any portion thereof:

(a) cannot be located upon the exercise of due diligence; (b) has been transferred, sold to, or deposited with a third party; (c) has been placed beyond the jurisdiction of the court; (d) has been

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1 substantially diminished in value; or (e) has been commingled with
2 other property that cannot be divided without difficulty.

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4 A TRUE BILL

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6 /s/

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Foreperson

8 TRACY L. WILKISON
9 United States Attorney

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11 SCOTT M. GARRINGER
12 Assistant United States Attorney
13 Chief, Criminal Division

14 BENJAMIN R. BARRON
15 Assistant United States Attorney
16 Chief, Santa Ana Branch Office

17 DANIEL H. AHN
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